GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVANTS – Prohibition & Excise Department – Sri C.Mallem Kondaiah, P&E Inspector (Retired) involved in three (3) liquor syndicate case of Guntur District – Implemented the orders dated 15.11.2018 in WP.Nos.25587,26311,26381 of 2018 of Hon'ble High Court - Pensionary benefits – Implemented the orders dated 07.03.2023 in W.P.No.5594 of 2023 filed by Sri C.Mallem Kondaiah, P&E Inspector (Retired) for payment of interest on delayed pensionary benefits – Orders – Issued.

REVENUE (VIGILANCE-IV) DEPARTMENT

G.O.Rt.No.796 **Dated:29.08.2023**

Read the following:-

1. From the DG, ACB, Lr.C.No.61/RCO-VZT/2012, Dated:12-11-2012
2. Govt. Memo.No.51902/VIG.V(2)/2012-1, dated:16-01-2013.
3. From the DG, ACB, Lr.Rc.No.14/RCO-VZT/2012, Dated:10-10-2012
4. Govt. Memo.No.45965/VIG.IV(2)/2012-1, dated:16-01-2013
5. From the DG, ACB, Lr.C.No.15/RCO-VZT/2012, Dated:08-10-2012
6. Govt. Memo.No.45926/VIG.V(2)/2012-1, dated:16-01-2013
7. Orders dated 15.11.2018 of Hon'ble High Court in W.P.Nos.25587,26311,26381 of 2018 filed by Sri C.Mallem Kondaiah, P&E Inspector(Retired)
8. Contempt Case Nos.332,333 & 334 of 2019 in W.P.Nos. 25587,26311,26381 of 2018 filed by Sri C.Mallem Kondaiah, P&E Inspector(Retired)
9. G.O.Rt.No.979, Revenue (Vig.IV) Dept, dated:27.09.2019.
10. Orders dated:07.03.2023 of Hon'ble High Court in W.P.No.5594 of 2023 filed by Sri C.Mallem Kondaiah, P&E Inspector(Retired)
11. Representation dated:29.04.2023 received from Sri C.Mallem Kondaiah, P&E Inspector(Retired), Guntur district.

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ORDER:

Whereas Sri C. Mallem Kondaiah, P&E Inspector (Retired), while in service was involved in the three (3) Liquor Syndicate cases of Guntur District along with other Prohibition and Excise officials and in three cases recommended on his defense before TDP by DG, ACB. After following due procedure, Government entrusted his 3 cases to TDP along with other P&E officials. The TDP has issued charge memos against him in TEC Nos.113/2013, dated: 21.06.2017 & 137/2013 daed:15.09.2017 and 169/2013 dated 27.11.2017. Sri C.Mallem Kondaiah, P&E Inspector (Retired) were filed three W.P.Nos. 25587,26311,26381 of 2018 before the Hon'ble High Court Challenging his 3 charge memos. The Hon'ble High Court in it orders dated 15.11.2018 quashing the charge memos and stated that he is entitled to full pension and other retire benefits. Further, Sri C.Mallem Kondaiah, P&E Inspector (Retired), has fled three contempt cases Nos. 332,333 & 334 of 2019 for not implementing the orders dated 15.11.2018 in WP Nos. 25587,26311,26381 of 2018.

2. Whereas, in the reference 9th read above, the Government issued orders implementing the orders of Hon'ble High Court and sanctioned pensionery benefits to Sri C.Mallem Kondaiah, P&E Inspector (Retired).

3. Whereas in the reference 10th read above, Sri C.Mallem Kondaiah, P&E Inspector (Retired), has filed W.P.No.5594 of 2023 before the Hon'ble High Court for payment of 9% p.a. interest on delayed Retirement benefits in terms of the orders passed in W.A.No.383 of 2022, dated 12-7-2022.

4. And whereas, the Hon'ble High Court in its order dated 07.03.2023 in W.P.No.5594 of 2023 has passed orders directing the respondents to pay the retirement monetary benefits to be payable and along with interest @ 9% p.a. on the delayed retirement benefits i.e., Full Pension, Gratuity, Encashment of Earned Leave, and Commutation of Pension, from the date of retirement to till the date of actual payments made to the petitioner, in terms of the judgment dated 12.07.2022 passed by the Division Bench of this Court in Writ Appeal No.383 of 2022.

(PTO)

5. Government after careful examination of the matter, and keeping in view of the orders dated 07.03.2023 in W.P.No.5594 of 2023 filed by Sri C.Mallem Kondaiah, P&E Inspector (Retired), have decided to implement the orders of Hon'ble High Court dated 07.03.2023 and to pay the interest @ 9% p.a., on the delayed pensionery benefits to Sri C.Mallem Kondaiah, P&E Inspector (Retired).

6. Accordingly, Government hereby order to pay the interest @ 9% p.a. on the delayed pensionery benefits i.e., Full Pension, Gratuity, Encashment of Earned Leave, and Commutation of Pension, from the date of retirement to till the date of actual payments made to Sri C.Mallem Kondaiah, P&E Inspector (Retired).

7. The Commissioner of Prohibition and Excise shall take further necessary action in the matter, accordingly.

8. This order issues with concurrence of Finance (HR) Department vide their UO.No.FIN 01-HROMISC/59/2023-HRIII, dated: 12.07.2023.

Dr. RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri C. Mallem Kondaiah, P&E Inspector(Retired) through the Commissioner of Prohibition and Excise Department, AP, Vijayawada
The Commissioner of Prohibition and Excise Department, AP, Vijayawada
Copy to:
The Finance (HR-III) Department, A.P.Secretariat, Velagapudi.
The Accountant General, Andhra Pradesh, Vijayawada.
The GP for Services-1, APHC, Amaravati
The Director of Treasuries and Accounts, AP, Vijayawada.
The Dy.Commr of P&E Dept.,Guntur district.
Sc/Sf

//FORWARDED::BY ORDER//

SECTION OFFICER